

REMARKS

Claims 1-26 are pending in the present application. Claims 1, 6, 16, 19, and 24 have been amended herein. No new matter has been added. Applicants respectfully request reconsideration of the claims in view of the following remarks.

Claims 1-13, 16-23, and 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakamura et al. (U.S. Patent No. 6,920,173, hereinafter “Nakamura”) in view of Kim (U.S. Patent No. 6,810,007, hereinafter “Kim”). Applicants respectfully traverse this rejection.

To establish a prima facie case of obviousness, three basic criteria must be met. See M.P.E.P. § 2143. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art references when combined must teach or suggest all the claim limitations. Without conceding the second criterion, Applicants respectfully assert that there is no motivation to combine the references in the manner combined by the Examiner, and even if combined, the references do not teach or suggest all of the limitations of the claims.

Amended claim 1 recites “despreading the symbol after the stripping redundancy from the symbol; and demodulating the symbol after the despreading the symbol.” Neither Nakamura nor Kim teaches or suggests these elements. As the Examiner acknowledges, “Nakamura does not disclose expressly the redundancy elimination circuit coupled to the ADC for removing of cyclic prefix.” Office Action, p. 4. Neither Nakamura nor Kim teaches or suggests stripping redundancy from a symbol followed by a despreading of the symbol, let alone following these steps with a demodulation of the symbol.

The Examiner attempts to combine the two references to overcome these deficiencies, but Applicants respectfully assert that there is no motivation to combine the references as they are combined by the Examiner. Kim discloses an FFT demodulator coupled to the output of a cyclic prefix remover. *See, e.g.,* Kim, Fig. 1B. Assuming, solely for the purposes of this argument, that there is any motivation for combining the references in the first place, the cyclic prefix remover of Kim would more properly be coupled to the input of demodulator 202 of Nakamura, as it is connected in Kim. And when combined in this manner, the references still do not teach or suggest all the elements of Applicants' claim. There is no motivation to take the cyclic prefix remover of Kim and insert it into the system of Nakamura on the other side of the despreader 201 of Nakamura, separate from the demodulator 202. The Examiner states general motivational arguments for one of ordinary skill in the art to combine OFDM and spread spectrum receivers, but the Examiner does not provide any motivation for selectively combining the references in the detailed manner as the Examiner has done.

Accordingly, Applicants respectfully submit that claim 1 is patentable over the cited prior art. Claims 2-13 depend from claim 1 and add further limitations. Applicants respectfully submit that these claims are allowable by reason of depending from an allowable claim as well as for adding new limitations.

Amended claim 16 recites "a redundancy elimination circuit (REC) coupled to the output of the ADC, . . . a despreader coupled to an output of the REC, [and] a demodulator coupled to an output of the despreader." Neither Nakamura nor Kim teaches or suggests these elements. As the Examiner acknowledges, "Nakamura does not disclose expressly the redundancy elimination circuit coupled to the ADC for removing of cyclic prefix." Office Action, p. 4.

Neither Nakamura nor Kim teaches or suggests a despreader coupled to an output of an REC, let alone these elements with a demodulator coupled to an output of the despreader.

The Examiner attempts to combine the two references to overcome these deficiencies, but Applicants respectfully assert that there is no motivation to combine the references as they are combined by the Examiner. Kim discloses an FFT demodulator coupled to the output of a cyclic prefix remover. *See, e.g.*, Kim, Fig. 1B. Assuming, solely for the purposes of this argument, that there is any motivation for combining the references in the first place, the cyclic prefix remover of Kim would more properly be coupled to the input of demodulator 202 of Nakamura, as it is connected in Kim. And when combined in this manner, the references still do not teach or suggest all the elements of Applicants' claim. There is no motivation to take the cyclic prefix remover of Kim and insert it into the system of Nakamura on the other side of the despreader 201 of Nakamura, separate from the demodulator 202. The Examiner states general motivational arguments for one of ordinary skill in the art to combine OFDM and spread spectrum receivers, but the Examiner does not provide any motivation for selectively combining the references in the detailed manner as the Examiner has done.

Accordingly, Applicants respectfully submit that claim 16 is patentable over the cited prior art. Claims 17-23 and 25 depend from claim 16 and add further limitations. Applicants respectfully submit that these claims are allowable by reason of depending from an allowable claim as well as for adding new limitations.

Applicants acknowledge that claims 14-15, 24, and 26 are objected to, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Based on the foregoing remarks, however, Applicants believe that each

of the independent claims from which these claims depend are in condition for allowance. Thus, Applicants respectfully submit that these dependent claims are allowable by reason of depending from an allowable claim as well as in their own right.

In view of the above, Applicants respectfully submit that the application is in condition for allowance and request that the Examiner pass the case to issuance. If the Examiner should have any questions, Applicants request that the Examiner contact Applicants' Attorney, Ron Neerings, at 972-917-5299. No fee is believed due in connection with this filing. However, in the event that there are any fees due, please charge the same, or credit any overpayment, to Deposit Account No. 20-0668.

Respectfully submitted,

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